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PATENTS

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|            |               |                  |                                 |
|------------|---------------|------------------|---------------------------------|
| Applicant: | John B. Terry | Attorney Docket: | 0960-017 Technology Center 2600 |
| Serial No: | 09/818,378    | Examiner:        | Grant, Christopher              |
| Filed:     | 03/27/2001    | Art Unit:        | 2611                            |

Title: ARCHITECTURE AND METHOD FOR AUTOMATIC DISTRIBUTED GAIN CONTROL FOR MODEM COMMUNICATIONS OVER PASSIVE MULTIPOINT NETWORKS.

### **FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington D.C. 20231

Transmitted herewith are Forms PTO/SB/08A and 08B providing material that may be relevant to the subject application. It is respectfully requested that these documents be considered by the Examiner and an initialed copy of the forms be returned to the undersigned. It is believed that this disclosure complies with the requirements of 37 CFR §§ 1.56, 1.97 and 1.98 and the MPEP § 609. If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

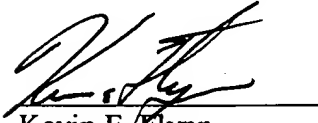
Submission of these documents is consistent with the broadest interpretation of the duty of disclosure. In accordance with the rule for patent prosecution, such a submission is not to be construed as an admission that the information cited in the Fifth Supplemental Information Disclosure Statement is, or is considered to be, material to patentability as defined in §1.56. Applicant respectfully reserves the right to challenge a conclusion that any of the submitted material represents information constituting prior art to the present application or that the information that applicant has located would be of the type used by one of ordinary skill in the art in solving the problems addressed in the present application. The submission of these materials is consistent with the duty of disclosure and should not be interpreted as an indication that applicant has made a prior art search such that the Examiner should not undertake to conduct an independent prior art search.

Applicant submits material that is listed in an International Search Report for a PCT application corresponding to US Application No. 10/071,007 for Multi-Band Coax Extender for In-Building Digital Communication Systems (Docket number 0960-022). A copy of the Search Report is provided for the convenience of the Examiner.

Please note that the search report references USPN 6,028,860 (Raissinia Alireza et al.). This patent is typically identified as 6,028,860 Laubach et al. This patent was provided with an earlier IDS for this application. Note that WO 01/76142 is a publication of the PCT application corresponding to this U.S. application. Accordingly, we have not submitted a copy of the PCT application.

Dated: July 10, 2002

Respectfully submitted,

  
Kevin E. Flynn  
Reg. No. 37,325

Daniels & Daniels, P.A.  
P.O. Drawer 12218  
Research Triangle Park, NC 27709  
Voice 919.544.5444  
Fax 919.544.5920  
email Kflynn@daniels.com

Enclosures

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)



Application Number 09/818,378

Filing Date 03/27/01

First Named Inventor Terry, John B.

Group / Art Unit 2661

Examiner Name Grant, Christopher

Attorney Docket No. 0960-017

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Total Number of Patents in This Submission \* 5

\* Not including references

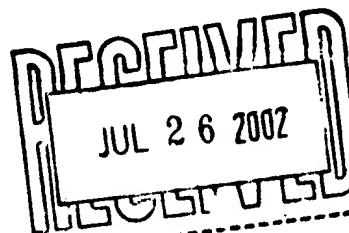
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## ENCLOSURES (check all that apply)

Technology Center 2600

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence  
Address☐ Terminal Disclaimer☐ Small Entity Statement☐ Request for Refund☐ After Allowance Communication  
to Group☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to  
Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Additional Enclosure(s)  
(please identify below):SB/08A and 08B  
Cited References  
Return Receipt Postcard

Remarks



## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Kevin E. Flynn

Signature

Date

07/10/2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Lynette M. Bailey

Signature

Date

07/10/02

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|                 |                    |
|-----------------|--------------------|
| Application     | 09/818,378         |
| Filing Date     | March 27, 2001     |
| First Named     | Terry, John B.     |
| Group Art Unit  | 2611               |
| Examiner Name   | Grant, Christopher |
| Attorney Docket | 0960-017           |

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| Sheet | 1 | of | 1 |
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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**Complete if Known**

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| Examiner Initials | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue numbers(s), publisher, city, and/or country where published | T <sup>2</sup> |
|-------------------|-----------------------|--|----------------|
|                   | A                     | Publication by Goldberg, Lee, entitled <i>MCNS/DOCSIS MAC Clears a Path for the Cable-Modem Invasion</i> , <u>Communications Technology</u> , pages 69-70, 74, 78, 80, (01-12-1997)  |                |
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| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.